

### ***Remarks***

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-46 are pending in the application, with claims 1, 21, 34-36, 45, and 46 being the independent claims. Claims 1, 14-18, 20, 21, 28-31, and 33-36 are sought to be amended. New claims 45 and 46 are sought to be added. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

### ***Rejections under 35 U.S.C. § 103***

#### **Claims 1-19, 21-32, 34, and 35**

The Examiner has rejected claims 1-19, 21-32, 34, and 35 under 35 U.S.C. § 103(a) as allegedly being obvious over WIPO Publication No. WO 01/77783 A2 to Russell et al. ("Russell") in view of U.S. Patent No. 6,266,420 to Langford et al. ("Langford") and further in view of U.S. Patent Application Publication No. 2002/0016922 to Richards ("Richards"). Applicants respectfully traverse.

Claim 1 recites, *inter alia*, "retrieving at the first server machine, based on the success of said authenticating of the user and authenticating of the first client machine, a user key permitting access to an individually encrypted sub-header of the secured item, the encrypted sub-header including access rules *applicable to the user or to a group to which the user belongs* for the secured item, the sub-header selected, from a group of

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individually encrypted sub-headers corresponding to other users or groups, based on the sub-header's correspondence to the user or to the group to which the user belongs based on an identifier." Support for this amendment is found, *inter alia*, at FIG. 2C.1 and paragraph [0068] of the As-Filed Specification.

In rejecting claim 1, the Examiner cited to Langford and Richards as allegedly providing the necessary teaching or suggestion for the aforementioned features. The Examiner does not apply Russell to the aforementioned claim features, nor does Russell teach or suggest the aforementioned claim features.

Langford is directed to "a method for securing group communications with reduced message overhead." (Langford, 2:36-38). This is accomplished by providing a header with a wrapped symmetric key for each group of users receiving the message, which a user can decrypt using the group's private description key, using the symmetric key in turn to decrypt the message. (Langford, 2:47-54).

However, Langford also describes an approach where a message is encrypted by a session key. (Langford, 2:66-3:1). This session key is wrapped "using the encryption public key of each recipient identified in the recipient list." (Langford, 3:3-6). The header then consists of multiple copies of the session key, each copy wrapped by the public key of a corresponding individual recipient. (Langford, 3:11-13 and FIG. 1).

Notably, each of the encrypted items in the header of Langford contains the exact same information, namely the wrapped session key. As a result, separate users (perhaps belonging to separate groups) would each have a corresponding private key they can use to decrypt a corresponding session key encrypted by their corresponding public key. The session key obtained by each of the separate users, using the Langford methodology,

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would be the *same* for each of the users, and would then be used to decrypt the message.  
(Langford, 3:11-13 and FIG. 1).

As a result, Langford cannot teach or suggest an "encrypted sub-header including access rules *applicable to the user or to a group to which the user belongs* for the secured item," as recited in claim 1, as the retrieved session key in Langford is not in any way "applicable to the user or to a group to which the user belongs," but rather is the same session key that would be obtained by any user or group. Each of the encrypted session keys in a given header Langford is the same, just encrypted by a different public key. (Langford, 3:11-13 and FIG. 1).

Richards does not supply the missing teaching or suggestion. Although the Examiner relies on Richards to allegedly teach "a system where a given requester is permitted to access a secure item based on access rules stored in an encrypted header of a secure item" (Office Action, p. 7 (citing Richards, Fig. 4 and paras. [0066]-[0068])), Richards also suffers from the deficiency of not teaching or suggesting "access rules *applicable to the user or to a group to which the user belongs*."

For at least the aforementioned reasons, claim 1 is not rendered obvious by the combination of Russell, Langford, and Richards. Claims 21, 34, and 35 each recite, *inter alia*, analogous features to the aforementioned features of claim 1, using respective language, and are likewise not rendered obvious by the combination of Russell, Langford, and Richards for at least the same reasons as claim 1, and further in view of their own respective features. Claims 2-19 and 22-32 depend from claims 1 and 21, respectively, and are likewise not rendered obvious by the combination of Russell,

Langford, and Richards for at least the same reasons as claims 1 and 21, and further in view of their own respective features.

Accordingly, the rejection fails to establish a *prima facie* case of obviousness of claims 1-19, 21-32, 34, and 35 over Russell, Langford, and Richards. Applicants therefore respectfully request the reconsideration and withdrawal of the rejection of claims 1-19, 21-32, 34, and 35 under 35 U.S.C. § 103(a).

#### **Claims 36-44**

The Examiner has rejected claims 36-44 under 35 U.S.C. § 103(a) as allegedly being obvious over Russell in view of Langford. Applicants respectfully traverse.

Claim 36 recites, *inter alia*, "the information stored in the individually encrypted sub-header of the secure item comprising access rules *applicable to the requestor or to a group to which the requestor belongs*." For similar reasons noted above with regard to claim 1, which recites analogous features, using respective language, to the aforementioned features of claim 36, Russell and Langford fail to teach or suggest the aforementioned features.

Claim 36 is therefore not rendered obvious by the combination of Russell and Langford. Claims 37-44 depend from claim 36, and are likewise not rendered obvious by the combination of Russell and Langford for at least the same reasons as claim 36, and further in view of their own respective features.

Accordingly, the rejection fails to establish a *prima facie* case of obviousness of claims 36-44 over Russell and Langford. Applicants therefore respectfully request the

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reconsideration and withdrawal of the rejection of claims 36-44 under 35 U.S.C. § 103(a).

**Claims 20 and 33**

The Examiner has rejected claims 20 and 33 under 35 U.S.C. § 103(a) as allegedly being obvious over Russell in view of Langford and Richards, and further in view of U.S. Patent Application Publication No. 2003/0050919 to Brown et al. ("Brown"). Applicants respectfully traverse.

As noted above, claims 1 and 21 are not rendered obvious by the combination of Russell, Langford, and Richards. Brown does not supply the missing teaching or suggestion, and therefore claims 1 and 21 are also not rendered obvious by the combination of Russell, Langford, Richards, and Brown. Claims 20 and 33 depend from claims 1 and 21, and are likewise not rendered obvious by the combination of Russell, Langford, Richards, and Brown for at least the same reasons as claims 1 and 21, and further in view of their own respective features.

Accordingly, the rejection fails to establish a *prima facie* case of obviousness of claims 20 and 33 over Russell, Langford, Richards, and Brown. Applicants therefore respectfully request the reconsideration and withdrawal of the rejection of claims 20 and 33 under 35 U.S.C. § 103(a).

***New Claims***

Applicants respectfully seek entry of new claims 45 and 46. New claims 45 and 46 find similar support in the Specification at least in the same manner as claims 1 and 21. Entry and allowance thereof is respectfully requested.

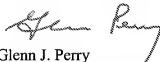
***Conclusion***

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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